



#

United States Environmental Protection Agency
Region I
5 Post Office Square, Suite 100
Boston, MA 02109-3912

URGENT MATTER – PROMPT REPLY NECESSARY
CERTIFIED MAIL – RETURN RECEIPT REQUESTED

JUL 07 2014

Mr. Brian Britton, Assistant Vice President of Campus Management
Bryant University
1150 Douglas Pike
Smithfield, RI 02917-1284

Re: **NOTICE OF VIOLATION** of the applicable Generators Standards of Hazardous Waste, Section 3002 of the Resource Conservation and Recovery Act of 1976 (RCRA) and the Hazardous and Solid Waste Amendments (HSWA) of 1984, 42 U.S.C. §§ 6622(a) and 6924(d) through (m) and the State of Rhode Island and Providence Plantations Rules and Regulation for Hazardous Waste Management.

Dear Mr. Britton:

On September 10 and 11, 2012, representatives of the United States Environmental Protection Agency ("EPA") conducted a RCRA Compliance Evaluation Inspection at your facility. The purpose of this inspection was to determine the compliance of Bryant University ("Bryant"), with the Rhode Island Rules and Regulations For Hazardous Waste Management (Rhode Island Rules) and the Federal Hazardous Waste Management Regulations found at 40 CFR Parts 260-272. The State of Rhode Island has been granted final authorization by EPA to administer certain portions of RCRA.

As a result of the inspection noted above, EPA has determined that your facility violated certain provisions of the Rhode Island Rules and the RCRA regulations, promulgated at 40 CFR Parts 260 through 272. The specific violations are set forth below:

1. Failure to conduct adequate hazardous waste determinations, as required by Rhode Island Rule 5.08, and 40 CFR §262.11.

At the time of the inspection, the following waste streams did not have proper waste determinations or had incomplete determinations.

- 1) Waste paint. Some paints used at the Paint Shop contain barium. Paint remover observed in this area contained methylene chloride. This waste must be evaluated for the

presence of metals or listed solvents. The facility currently manages this waste as D001 only.

2) Waste aerosol cans. Aerosols present at the university include chlorinated solvents (tetrachloroethylene and methylene chloride) and barium. This stream should include the proper D and F codes. The facility currently manages this waste as D001 only.

3) Waste rags and solids from maintenance activities. Aerosols present at the university include chlorinated solvents (tetrachloroethylene and methylene chloride). Rags used to wipe in this area are disposed of in the trash. This stream should be characterized to include the relevant waste codes.

4) Waste oils at the facility have not been analyzed to determine if they contain chlorinated solvents. Several chlorinated aerosol products are used in areas where waste oils are generated.

2. Failure to properly conduct and document daily inspections of hazardous waste containers, as required by Rhode Island Rule 5.02.

At the time of the inspection, logs for the Main HWSA for the first, second and third weeks on January, the second, third and fourth weeks of April, the first and third weeks of May and the first and third weeks of August all in 2012 were missing.

3. Failure to have an adequate training program, as required by Rhode Island Rule 5.02.

At the time of the inspection, training was developed and given by Triumvirite Environmental. Brian Britton, the primary emergency coordinator, did not receive any RCRA training. John Topp, the main HWSA inspector and handler, did not receive any RCRA training.

Training on the facility's contingency plan was first given in 2011. This component of training must be given every year. Triumvirite Environmental personnel who are assigned to the facility should receive training on Bryant's contingency plan. There is no documentation that they do.

4. Failure to manage universal wastes according to standards required by Rhode Island Rule 13.06.

At the time of the inspection, Universal wastes ("UW") were observed being stored in two locations at the facility. The first was in the Electricians Shop in the Facilities Building, the second was in a 40-foot cargo container adjacent to the Lower Grounds Maintenance Garage.

In the Electricians Shop, there were three containers of UW. The first was a full box (~18x18x22") of spent compact fluorescent bulbs. The second was 1/3 full box of spent 4-foot bulbs. The third was an approximately 7-8-gallon container of waste batteries. All of these containers were open. The container of batteries was labeled and dated. The remaining two containers were not labeled or dated.

In the Lower Grounds UW storage unit, there were eight containers of fluorescent bulbs. One of the eight was closed. All eight were unlabeled and undated. There were three containers of compact fluorescent bulbs. All were open, unlabeled and undated. In addition, there were three small boxes and one 5-gallon pail of UW batteries. All were open, unlabeled and undated. Finally, there was one pallet with electronic wastes including televisions, CRTs and computer components that were not in containers, open, unlabeled and undated.

Immediately upon receipt of this **NOTICE**:

1. Ensure that proper hazardous waste determinations are conducted, as required by Rhode Island Rule 5.08.
2. Ensure that all hazardous waste inspections are conducted and documented appropriately, as required by Rhode Island Rule 5.02.
3. Ensure that the Bryant training program meets all requirements, of Rhode Island Rule 5.02. Specifically, train all required personnel on the facility contingency plan, adequately train all employees that are involved with RCRA waste management (including emergency responders, ECs and manifest signers)
4. Ensure that all containers of universal wastes are managed in a manner to meet all requirements of Rhode Island Rule 13.06. Specifically, keep containers holding universal wastes closed, labeled and dated.

Within (30) thirty calendar days of receipt of this **NOTICE**:

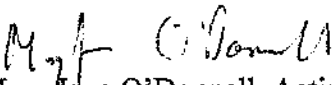
Submit a written description, with supporting documentation, of the actions taken to correct the aforementioned violations to:

**Richard Piligian, Environmental Scientist
U.S. Environmental Protection Agency
5 Post Office Square, Suite 100
Mail Code: OES05-01
Boston, MA 02109**

Failure to correct the violation as required by this **NOTICE** may subject Bryant University to further federal enforcement action, including the assessment of penalties, pursuant to Section 3008 of RCRA 42, U.S.C. § 6928.

If you have any questions regarding this **NOTICE**, please contact Richard Piligian, at (617) 918-1757.

Sincerely,


Mary Jane O'Donnell, Acting Manager
RCRA, EPCRA, and Federal Programs Unit

cc: Tracey Tyrrell, RIDEM
RCRA file